

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

)

JAN 22 2016

Plaintiff,

)

Phil Lombardi, Clerk
U.S. DISTRICT COURT

v.

)

Case No. 15-CR-00133-GKF

VYSEAN LEANDRE EMBRY,

)

Defendant.

)

**INFORMATION TO ESTABLISH PRIOR CONVICTION
PURSUANT TO 21 U.S.C. § 851**

The United States of America, by and through counsel, Danny C. Williams, Sr., United States Attorney for the Northern District of Oklahoma, and Joel-lyn A. McCormick, and Neal Hong Assistant United States Attorneys, files this Information to establish a prior conviction, pursuant to 21 U.S.C. § 851, which raises the penalty for Count 1 of the Indictment from a mandatory minimum of ten (10) years imprisonment to a mandatory minimum of twenty (20) years and a maximum of life imprisonment. The prior conviction established by this Information also raises the penalty for Counts 2-18, 25-30 and 50 to a statutory maximum of thirty (30) years imprisonment.

Count 1 of the Indictment charges the defendant with conspiracy to possess with intent to distribute and distribution of 280 grams or more of a mixture and substance containing a detectable amount of cocaine base (“crack”), in violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A)(iii)(II). Counts 2-18 and 25-30

charge the defendant with distribution of cocaine base ("crack"), in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Count 50 charges the defendant with conspiracy to maintain a drug involved dwelling, in violation of Title 21, United States Code, Sections 846 and 856(b).

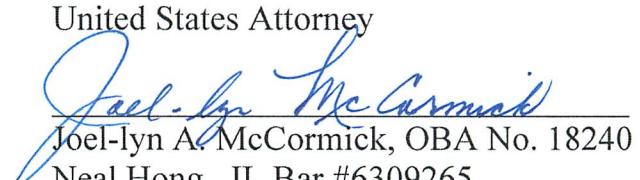
Prior to the filing of the Indictment and Superseding Indictment filed in this matter, the defendant, **VYSEAN LEANDRE EMBRY**, was convicted of the following felony drug offense:

Possession of Controlled Drug With Intent to Distribute, Case No. CF-2002-3481 in the 14th Judicial District of Tulsa County, State of Oklahoma, on June 11, 2003.

Accordingly, the United States gives notice pursuant to Title 21, United States Code, Section 851, that the increased statutory penalty for Count 1 is not less twenty (20) years imprisonment and not more than life imprisonment and a fine not to exceed \$20,000,000, and the increased statutory penalty for Counts 2-18, 25-30 and 50 is a statutory maximum of not more than thirty (30) years imprisonment and a fine not to exceed \$ 2,000,000.

Respectfully submitted,

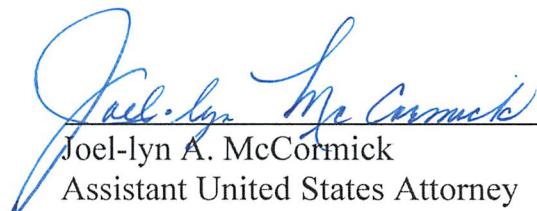
DANNY C. WILLIAMS, SR.
United States Attorney


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Neal Hong, IL Bar #6309265
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CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of January, 2016, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Shannon McMurray
Attorney for Defendant


Joel-lyn A. McCormick
Assistant United States Attorney